

Minutes
Lakeway Municipal Utility District
Board of Directors Meeting
November 27, 2017

The Board of Directors met in SPECIAL session at 9:30AM at 1097 Lohmans Crossing, Lakeway, Texas, with the following:

Directors Present:	Larry Burmeier Lawrence Christian Jerry Hietpas
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Directors Absent:	Don Goff Tom Brewer
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Staff Present:	Earl Foster Loyd Smith
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QUORUM

1. Determine Quorum and Call to Order

Meeting was called to order at 9:30AM.
Burmeier declared a quorum of Directors present.

2. Pledge of Allegiance was led by Burmeier.

CITIZENS

3. None

AGENDA ITEMS:

4. Discussion and Possible Action on Resolution Authorizing Execution of Closing and Sale Instruments for Commercial Contract Unimproved Property By and Between the District and HSD-Lakeway Holdings, Ltd. pertaining to the sale of the land generally situated at 1931 Lohmans Crossing, Lakeway, Texas.

- Foster reviewed the resolution and noted that it is referring to the 10.324 acre Senior Apartment Site that is referred to in the Contract as "Closing 1B". This closing is set to occur Tuesday, November 28, 2017.
- General Board Discussion.
- Hietpas moved to authorize the District Board President, or, in his absence, any District Board member or the District's General Manager, to execute the instruments necessary to effectuate the closing and sale of the 10.324 acre "Senior

Apartment Site” referred to in the Contract as “Closing 1B,” subject to confirmation by the attorney for the District that all closing instruments for Closing 1B are consistent with the terms and conditions of the Contract.

- Christian seconded.
- Foster suggested a friendly amendment to the Resolution adding “and I approve the resolution.
- Hietpas accepted the friendly amendment to his motion; Christian accepted the friendly amendment to his second.
- Motion passed unanimously.

5. Discussion and possible action on the proposed “Assignment of Wholesale Wastewater Capacity and Services Agreement” by Rough Hollow Development, Ltd. to RH Lakeway Development Ltd., relating to the assignment of the Wholesale Wastewater Capacity and Services Agreement dated as of July 29, 2015 between LMUD and Travis County MUD 12.

- Foster explained that this was approved last month but that there was one word that needed to be removed. Their attorneys asked that the word “will” be removed so that “will consent” be changed to “consent”. Otherwise, the document remains the same as previously approved.
- General Board Discussion.
- Cristian moved that we approve the “Assignment of Wholesale Wastewater Capacity and Services Agreement Rough Hollow Development, Ltd. to RH Lakeway Development Ltd., relating to the assignment of the Wholesale Wastewater Capacity and Services Agreement dated as of July 29, 2015 between LMUD and Travis County MUD 12.
- Heitpas seconded.
- Motion passed unanimously.

6. Discussion and Possible Action on the “Amended and Restated Third Amendment to Commercial Contract Unimproved Property by and between the District and HSD-Lakeway Holdings, Ltd.” pertaining to the sale of land generally situated at 1931 Lohmans Crossing, Lakeway, Texas.

- Foster explained that the acreage the Senior Apartment Site needed to be corrected on the previously approved document as well as the amounts of the closing extensions. These amounts have been paid properly to date, but were misstated in the original document. There was also minor changes to the Pond agreement.
- Hietpas moved to approve Item 6 as stated; Christian seconded.
- Burmeier noted that on page one and two, several dollar amounts had commas where periods are normally used in the “cents” area.
- Foster said those were typos and he would see that corrections were made on the final document.
- Foster asked if the Board would approve the document through a Friendly Amendment knowing Foster would make the comma’s to period’s changes.

- Hietpas accepted the Friendly Amendment to the motion; Christian accepted the Friendly amendment to his second.
- General Board discussion.
- Motion passed unanimously.

ADJOURNMENT

The meeting was adjourned at 9:38AM.



Minutes approved on the 13th day of December, 2017.



Loyd Smith, Finance/Administration Manager



President, Board of Directors

ATTEST:



Secretary, Board of Directors